

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOHN ERICKSON, *et al.*,

Plaintiffs,

v.

JPMORGAN CHASE BANK NA, *et al.*,

Defendants.

Case No. C23-1801 LK

ORDER DENYING PLAINTIFFS'  
APPLICATION TO PROCEED *IN*  
*FORMA PAUPERIS* ON APPEAL  
WITHOUT PREJUDICE

Plaintiffs have filed an application to proceed *in forma pauperis* (“IFP”) in their appeal of the district court’s decision in the above-captioned case. (Dkt. # 89.) After careful consideration of the application, the governing law, and the balance of the record, the Court DENIES Plaintiffs’ application to proceed IFP on appeal (dkt. # 89) without prejudice for failure to comply with Federal Rule of Appellate Procedure 24.

Specifically, Rule 24(a)(1) states that a party who desires IFP status on appeal must file a motion in the district court, along with an affidavit, that “(a) shows in the detail prescribed by Form 4 of the Appendix of Forms the party’s inability to pay or to give security for fees and costs; (b) claims an entitlement to redress; and (c) states the issues that the party intends to present on appeal.” Fed. R. App. P. 24(a)(1). Plaintiffs’ application fails to comply with these

1 requirements, as they mistakenly submitted the district court's IFP form instead of the financial  
2 affidavit approved for use by the Ninth Circuit Court of Appeals. Plaintiffs are advised that the  
3 correct financial affidavit is available on the Ninth Circuit's website under "Forms."<sup>1</sup>

4 Accordingly, Plaintiffs shall have until **May 17, 2024**, to submit an application to  
5 proceed IFP on appeal that complies with Federal Rule of Appellate Procedure 24. If Plaintiffs  
6 fail to submit a proper IFP application by that date, the Court will deny their application to  
7 proceed IFP on appeal with prejudice, and will direct the Clerk to so notify the Court of Appeals  
8 pursuant to Federal Rule of Appellate Procedure 24(a)(4)(A).

9 The Clerk is directed to send copies of this Order to the parties and to the Honorable  
10 Lauren J. King.

11 Dated this 16th day of April, 2024.



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13 MICHELLE L. PETERSON  
14 United States Magistrate Judge  
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<sup>1</sup> See United States Courts for the Ninth Circuit, <http://www.ca9.uscourts.gov/forms/> (last visited April 16, 2024).